

not only to expunge it but also to erase it from the records. I am of the opinion that members should not use this House for uttering slogans. After all, there is sanctity attached to this House and that sanctity should in no case be violated by any member of the House. I am, therefore, requesting the Hon'ble Member Sri Samaji not to repeat such a performance here. He will also convey on my behalf to every member of the Samyuktha Maharashtra Samiti that I expect every member of this House to behave in consonance with the dignity and decorum of this House.

Sri K. PUTTASWAMY (Mysore).—I am not able to understand what is meant by 'erasing'. We are accustomed to 'expunction'.

Mr. SPEAKER.—By expunging the slogan what happens is, even though the slogan will not be there it will be indicated that it has been expunged. By erasing there will be nothing on record.

Sri K. PUTTASWAMY.—Not that I am disputing the ruling of the Chair. After all, any ruling given by the Chair will be a precedent for the future. If something is erased, we will not be able to know what has been erased.

Mr. SPEAKER.—That is exactly the purpose why it is erased.

[Sri N. O. Samaji spoke a few words in Marathi to which Mr. Speaker replied in Marathi.]

Sri A. V. NARASIMHA REDDY (Bangalore South).—I rise to a point of order. The Chair gave a ruling but he seems to be questioning that ruling and is going on speaking on the matter which is concluded.

Mr. SPEAKER.—He is not questioning the ruling of the Chair. He wants to understand how this question is to be solved. I told him there were methods by which this question could be solved, i.e., by means of a motion or tabling a question in this House or some other method which is in consonance with our Rules of Procedure. I also told him that he could not utter slogans in this House and that if he wanted to raise this question in this

House he could take recourse to other methods.

MYSORE WEIGHTS AND MEASURES (ENFORCEMENT) BILL, 1958.

Motion to consider (contd.)

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಗುಬ್ಬಿ).—ನಾನ್ಮಾ, ನಾನು ಈ ವೇಟ್ಟು ಅಂಡ್‌ವೇಯುರ್ಸ್ ಬಿಲ್ಲನ್ನು ವಿರೋಧಮಾಡಿ ಮಾತನಾಡುತ್ತಾ ಇದ್ದೇನೆ. ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರತಕ್ಕದ್ದು ಸರಿಯಾಗಿಲ್ಲ, ನೀವು ಪ್ರಗತಿ ಮನೋಭಾವದಿಂದ ಕೂಡಿರತಕ್ಕಂಥ ಮಸೂದೆಯನ್ನು ತೆಗೆದುಕೊಂಡು ಬಂದಿಲ್ಲ, ಇದು ಪ್ರತಿಗಾಮಿಯಾಗಿದೆ ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಸಮಾಜದ ಮೇಲೆ ಪ್ರತಿಗಾಮಿ ಪರಿಣಾಮಮಾಡ ತಕ್ಕಂಥಾದ್ದು ಇದಾಗಿದೆ. ಜನತೆಗೆ ತೊಂದರೆ ಯುಂಟಾಗುತ್ತದೆ. ಅದಕ್ಕೋಸ್ಕರವಾಗಿ ಈಗ ಅನು ಸರಿಸುತ್ತಿರುವ ಮಾರ್ಗ ಸರಿಯಾಗಿಲ್ಲ. ಅದುದರಿಂದ ಈ ಬಿಲ್ಲನ್ನು ವಾಪಸ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಈ ಮೂಲಕ ನಾನು ತಿಳಿಸಲಿಚ್ಛಿಸುತ್ತೇನೆ. ಕೇಂದ್ರ ಸರ ಕಾರದ ಆ ದೇಶಕ್ಕೆ ಅನುಸಾರವಾಗಿ ಇದನ್ನು ಮಾಡಿ ಬಿಟ್ಟರಾಯಿತು ಎಂಬುದು ಸರಿಯಲ್ಲ. ಈಗ ಈ ಕಾನೂನು ತರುವುನಕ್ಕೆ ಕಾಲ ಪರಿಶಕ್ತವಾಗಿದೆಯೇ? ಬಂಡಿತವಾಗಿ ಕಾಲ ಪರಿಶಕ್ತವಾಗಿಲ್ಲ. ಈಗ ಕಾನೂನು ಮಾಡುವುದು ಸರಿಯಾಗಿಲ್ಲವಾದ್ದರಿಂದ ತೀವ್ರವಾಗಿ ಸರಕಾರದವರು ಈ ಬಗ್ಗೆ ಯೋಚನೆ ಮಾಡಬೇಕು. ಇವೊತ್ತಿನ ದಿವಸ ನಾವೆಲ್ಲರೂ ಪ್ರಜಾ ಪ್ರಭುತ್ವ ಎಂಬ ಒಂದು ಶಬ್ದವನ್ನು ಕಿವಿಯಿಂದ ತುಂಬ ಕೇಳುತ್ತಿದ್ದೇವೆ. ಹಾಗಾದರೆ ಪ್ರಜಾ ಪ್ರಭುತ್ವಕ್ಕೆ ಮನ್ನಣೆಯಿತ್ತು ಕೆಲಸಮಾಡುವುದಾದರೆ, ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ಗೌರವ ಕೊಡುವುದಾದರೆ, ಜನತೆ ಯನ್ನು ಕಷ್ಟದಲ್ಲಿ ನಿಕ್ಕಿಹಾಕುವಂತೆ ಒಂದು ಕಾನೂನು ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಈಗಾಗಲೇ ಪಾರಿಯಲ್ಲ ಬಂದಿರುವ ಹೊಸನಾಣ್ಯಪದ್ಧತಿಯಿಂದ ತೊಂದರೆಯುಂ ಟಾಗಿದೆ. ಈ ಹೊಸತೂಕ ಅಳತೆಯ ಪದ್ಧತಿಯಿಂದ ಇನ್ನೂ ಹೆಚ್ಚು ಕಷ್ಟ ಉದ್ಭವಿಸುತ್ತದೆ. ರಾಜ್ಯದಲ್ಲಿ ನಾನಾಕಡೆ ನಾನಾ ಬಗೆಯ ತೂಕ ಮತ್ತು ಅಳತೆ ಪದ್ಧತಿಗಳಿವೆ. ಅವನ್ನೇ ಜನರು ಅರ್ಥಮಾಡಿಕೊಂಡಿಲ್ಲ. ಈಗ ಇದನ್ನು ತಂದು ಅವರಿಗೆ ತೊಂದರೆಯನ್ನುಂಟು ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಅದುದರಿಂದ ಇನ್ನೂ ಕೆಲವು ಕಾಲದವರೆಗೆ ಈ ಮಸೂದೆಯನ್ನು ತಡೆಹಿಡಿಯ ಬೇಕು. ಸರಕಾರದವರು ಈ ಕಾನೂನನ್ನು ತೆಗೆದು ಕೊಂಡುಬಂದು ಸಮನ್ವಯ ಮಾಡುತ್ತೇವೆಂದು ಹೇಳು ವುದು ಸರಿಯಾಗಿಲ್ಲ. ಸಮನ್ವಯ ಮಾಡುವುದಕ್ಕೆ ಇನ್ನೂ ಬೇರೆ ಅನೇಕ ಒಳ್ಳೊಳ್ಳೆಯ ಕಾನೂನುಗಳು ಇವೆ. ವಿಜನ್ ಹೋಲ್‌ನಲ್ಲಿ ಯಾವ ಮಸೂದೆಗಳನ್ನು, ಕೋಲ್ಮ ಸ್ಪೋರ್ಟ್‌ನಲ್ಲಿಯೋ ಆ ಮಸೂದೆಗಳನ್ನು ಮಂಡಿಸ ಬೇಕು. ಕೇಂದ್ರದ ಅದೇಶವಿದ್ದರೂ ಸಹ ಈ ಕಾನೂನಿಗೆ ಕೈಹಚ್ಚಿಬಾರದು. ಏಕೆಂದರೆ ಇದು ದೇಶದ ಪ್ರಗ ತಿಗೆ ವಿರೋಧವಾಗಿದೆ, ಪ್ರತಿಗಾಮೀ ಸ್ವರೂಪ ದ್ದಾಗಿದೆ. ಶಾಸನ ಕಡಿತದಿಂದ ಕಾನೂನು ಮಾಡುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡಬಾರದು. ಮತ್ತು ಜನತೆಯ ಮೇಲೆ ಹೇರಬಾರದು. ಈಗಲೇ ಈ ಕಾನೂನನ್ನು ವಾದಿಯೇ ತೀರಬೇಕೆಂದು ಕೇಂದ್ರ ಸರಕಾರದ ಅದೇಶವೇನೂ ಇರುವುದಿಲ್ಲ, ಬಾರಿಗೆ ತರುವುದನ್ನು

(ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ)

ರಾಜ್ಯ ಸರಕಾರಕ್ಕೆ ಬಿಟ್ಟುಕೊಟ್ಟಿದ್ದಾರೆ. ಒಂದು ವಾಕ್ಯ ಓದಿ ತೋರಿಸುತ್ತೇನೆ. 'The enforcement of these standards rests with the State Government' ಎಂದು ಹೇಳಲಾಗಿದೆ. ಹಾಗಾದರೆ ಇನ್ನೂ ಎರಡು ವರ್ಷ ಅಥವಾ ಮೂರು ವರ್ಷಗಳನಂತರ ಈ ಮಸೂದೆಯನ್ನು ತರಬಹುದು. ನಾವು ಅನೇಕ ವಿಷಯಗಳ ಬಗ್ಗೆ ಕೇಳಿದಾಗ "ಅಂಥ ವಾತಾವರಣ ಉಂಟಾಗಿಲ್ಲ, ಪರಿಸ್ಥಿತಿ ಒದಗಬಂದಿಲ್ಲ, ಅದುದರಿಂದ ಕಾನೂನು ತರುವುದಕ್ಕಾಗುವುದಿಲ್ಲ" ಎಂದು ಹೇಳುತ್ತಾ ಇದ್ದೀರಿ. ಆದಕ್ಕಾಗಿಯೇ ನಾನು ಹೇಳುವುದೇನೆಂದರೆ, ಈಗ ಕಾಲ ಪರಿಪಕ್ವವಾಗಿಲ್ಲ. ತೀವ್ರಯೋಚನೆ ಮಾಡಬೇಕು. ನೀವು ಈಗ ಅಧಿಕಾರದಲ್ಲಿರುವುದರಿಂದ ಜನತೆಗೆ ಏನಾದರೂ ಒಂದು ಒಳ್ಳೆಯದನ್ನು ಮಾಡಿ, ನಿಮ್ಮ ಒಳ್ಳೆಯ ಕೆಲಸವನ್ನು ಜನತೆ ಜ್ಞಾಪಕದಲ್ಲಿ ಇಟ್ಟುಕೊಳ್ಳುತ್ತಾರೆ. ಈ ಕಾನೂನಿನಿಂದ ಜನತೆಗೆ ಕೊಂದರೆಯುಂಟಾಗುವುದರಿಂದ ಈ ಕಾನೂನನ್ನು ಶಾಸನ ಕಡತಕ್ಕೆ ಏರಿಸಿ ಜನತೆಗೆ ತೊಂದರೆಮಾಡಬೇಡಿ. ಈ ಮಸೂದೆಯನ್ನು ಈಗ ಸಭೆಯ ಮುಂದೆ ತರಬಾರದಾಗಿತ್ತು. ಈಗ ಈ ಮಸೂದೆಯನ್ನು withdraw ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. False prestigeಗೆ ಅಂಟಿಕೊಂಡು ಈ ಮಸೂದೆಯನ್ನು ಪಾಸ್ ಮಾಡಿಕೊಳ್ಳಬೇಡಿ. ಹೀಗೆಲ್ಲಾ ಹೇಳುವುದರಿಂದ Opposition ದವರು ಬಹಳ touchy ಆಗಿದ್ದಾರೆ ಎಂದರೆ ಅದು ನನಗೆ ಅರ್ಥವಾಗುವುದಿಲ್ಲ. False prestigeಗೆ stick on ಆಗಬಾರದೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಬಹುಮತ ನಮಗಿದೆ. Majority ಬಂದಿದೆ ಮಾಡುವುದಾದರೆ ಹಾಗೂ ಅದು democracy ಎಂದು ಹೇಳುವುದಾದರೆ ಅದಕ್ಕೆ ವಾದವಿಲ್ಲ. ಇವತ್ತಿನ ದಿವಸ ಎಣ್ಣೆ, ಕಡರೆ, ಧಾನ್ಯ, ಅಡಕೆ ಮುಂತಾದವುಗಳಿಗೆ ಒಂದೊಂದು ತರದ ಅಳತೆ ತೂಕ ಇವೆ. ಈ ಹೊಸ ಪದ್ಧತಿಯ ಮೆಟ್ರಿಕ್ ಸಿಸ್ಟಮ್ ಅಳತೆ ತೂಕವನ್ನು ಜನತೆ ಅರ್ಥಮಾಡಿಕೊಳ್ಳಲಾರರು. ಒಬ್ಬ ವನುಷನೆ ಎತ್ತರ 6 ಪುಟು 3 ಇಂಚು ಎಂಬುದು ಮೆಟ್ರಿಕ್ ಪದ್ಧತಿಯ ಅಳತೆಯಲ್ಲಿ 1.3 ಎಂದು ಆಗುವುದು ಅರ್ಥವೇ ಆಗುವುದಿಲ್ಲ. 1.3 ಎತ್ತರ ಜನ ಇದ್ದಾರೆಂದು ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಬೇರೆ ದೇಶದವರು ಓದಿಕೊಂಡು ಬಿಟ್ಟರೆ ಅವರು ಏನು ತಿಳಿದುಕೊಂಡಾರು? ಅದಕ್ಕೋಸ್ಕರ ವಾಗಿ ಸ್ವಲ್ಪ ಕಾಲ ಈ ಮಸೂದೆಯನ್ನು ತಡೆಹಿಡಿದರೆ ಒಳ್ಳೆಯದಾಗುತ್ತದೆ. ಕೇಂದ್ರ ಸರಕಾರ ಹೇಳಿಬಿಟ್ಟಿದ್ದಾರೆಂದು ಅವಸರಮಾಡುವುದು ಬೇಡ. ಮೊದಲು ರೆಗ್ಯುಲೇಷನ್ ಮಾರ್ಕ್ಟ್ ಸ್ಟಾಪನೆಮಾಡಬೇಕು. ವ್ಯಾಪಾರ ಬೆಳೆಯುವದಕ್ಕೆ ಅನುಕೂಲಮಾಡಿ ಕೊಡಬೇಕು. ಆಮೇಲೆ ಎಲ್ಲ ಕಡೆಗೂ ಒಂದೇ ತರದ ಅಳತೆ ತೂಕ ಎಂದರೆ ಈ ಮೆಟ್ರಿಕ್ ಸಿಸ್ಟಮ್ ಬರುವ ಹಾಗೆ ಮಾಡಬಹುದು. ಅದುದರಿಂದ ಮುಖ್ಯಮಂತ್ರಿಗಳು ದೊಡ್ಡ ಮನಸ್ಸುಮಾಡಿ ದಯವಿಟ್ಟು ಈ ಮಸೂದೆಯನ್ನು ಈಗ ವಾಪಾಸ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಮಾನ್ಯ ಮಂತ್ರಿಗಳವರಿಗೂ, ಮಂತ್ರಿಮಂಡಳಕ್ಕೂ, ಅಧ್ಯಕ್ಷರ ಸಲಹೆ ಪಾರ್ಥನೆಯಮಾಡಿಕೊಂಡು ನನ್ನ ಈ ಭಾಷಣವನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

Sri K. S. SURYANARAYANA RAO.—Mr. Speaker, Sir, I stand to support this Bill. I do so without taking much time about the provisions of the

Bill because there is very little that could be controversial about the provisions of the Bill and there are very few provisions over which there could be any controversy. What I was concerned with was the tone with which the Bill was received in this House. I could well understand if constructive suggestions are made; but the language used would not become or keep in dignity with the person speaking because we are taking a very serious matter for consideration very lightly and we are putting it on the Statute Book. Whatever may be the opinion of the members on the opposite side whether it is for the ill or good of the people it is my firm conviction and perhaps so of the majority.....

Sri C. K. RAJAIAH SETTY (Chick-naikanhally).—Equally so with all of us.

Sri K. S. SURYANARAYANA RAO.—Thank you. The arguments advanced against the provisions of the Bill were all beside the point. I could have understood if certain lacunae in the Bill were pointed out, but that was not done. My Hon'ble friend forgot that one day or the other a legislation to bring about uniformity in weights and measures would have to be introduced.

Sri M. C. NARASIMHAN.—Does this Bill seek to bring about uniformity inside the country or *vis-a-vis* other countries?

Sri K. S. SURYANARAYANA RAO.—As my friend said, some 70 countries in the world have adopted this measure. We have also foreign trade in imports and exports and so in order to obviate the difficulties in at least so far as foreign imports and exports are concerned, uniformity of legislation in weights and measures is necessary for promotion and convenience of international trade.

Sri M. C. NARASIMHAN.—Does the member know that the majority of our export trade is with Anglo-Saxon countries and not with countries who have the metric system?

Sri K. S. SURYANARAYANA RAO.—Even with East European countries we have barter system. Even people who cannot understand a common language do exchange

thoughts, but if we can exchange thoughts in a common language it would be easy for both the parties to understand each other well. Moreover, in the Statement of Objects and Reasons also it is clearly stated that there are five types of weights and measures. They vary from one another and from place to place and region to region. Should we not have uniformity at least in the internal trade? The other parts of the country may follow the weights and measures that Mysore is following or we may follow our neighbour Madras or Bombay and thus have uniformity. Even for trade and commerce between one region and other of the same State, and region to region in the country some uniformity is essential in weights and measures.

Much was made about the difficulties that the common man would feel. It is not stated in the Bill that it should come into force on a particular day throughout the State and in the entire field of trade and commerce. What is stated is that it shall come into force in certain trades on certain dates in certain regions. Therefore, adequate steps have been taken to obviate the difficulties that might arise in this change over.

Hon'ble member Sri Srinivasa Setty also mentioned that even the smallest dealer would be affected and so he wanted certain concessions for him. I would point out section 41 to him which lays down the limits of error to be tolerated in weights and measures in the transition period. During this period even if the Department notices certain deviations, they will be dealt with sympathetically. It is said that there are other measures which should have got precedence over this. All right, that is an argument, but it is no argument to say: "Do not bring this measure now." It is all right for us to say: "Bring this measure too." But if a particular measure is ready and we could without causing much inconvenience put it on the statute book, I fail to understand why we should not do it. Merely because there are many other pressing demands on the time of this House, it

should be advanced as an argument to put off this measure. Many of the points that my learned friend made out were outside the purview of the Bill. He spoke on anything except the provisions of the Bill. I for one am not prepared to use the language of my friend.

Another argument that was made is that this Government have brought this measure without taking into consideration the magnitude of the problem of putting new weights and measures in the market. There are provisions in the Bill which show that Government have taken sufficient precaution to see that when the Bill is implemented weights and measures are made available to the public. Government have provided for the manufacture of standard weights at the Mint. Certain standard weights will be got made under licence. I would therefore request my friends not to say that Government have not thought over the matter of putting new weights and measures in the market. At any rate, such should not be the argument to be advanced by a member here. I can understand if the Hon'ble member says that the transition period would cause difficulties, but they will have to be borne.

Lastly, I have to make one suggestion and a request to Government. I would request Government that the existing weights and measures may be withdrawn. While so withdrawing the existing weights and measures, the new weights and measures may be supplied to the smallest dealers at subsidised rates. For the old weights and measures, if not the proper market value, at least the value for the metal should be given to the smallest dealers. If that is done I do not think the smallest dealers would be hit even financially by this change-over.

Sri M. C. NARASIMHAN.—For that, the financial memorandum to the Bill will have to be changed.

Sri K. S. SURYANARAYANA RAO.—Certainly. With these observations, I recommend the Bill for the consideration of the House.

4 P.M.

ಶ್ರೀ ಮಾಲಿ ಮರಿಯಪ್ಪ.—ಸ್ವಾಮಿ, ಈ ಮನೂದೆಯ ಮೇಲೆ ನಡೆದ ಸಾಮಾನ್ಯ ಚರ್ಚೆಗೆ ಸಂಬಂಧ ಪಟ್ಟ ಅಂಶಗಳನ್ನು ಗಮನಿಸಿದರೆ ಈ ಮನೂದೆಯ ಮೂಲ ತತ್ವಕ್ಕೆ ಈ ಸಭೆಯ ಒಪ್ಪಿಗೆ ಇದೆ ಎನ್ನುತ್ತಿದ್ದು ಕಂಡುಬರುತ್ತದೆ. ಈ ದೇಶದಲ್ಲಿ ಶಾಸನಗಳ ಏಕರೂಪತೆ ಬರಬೇಕಾದುದು ಅಗತ್ಯ ಎನ್ನುತ್ತಿದ್ದು ಕೆಲವರು ನೂಟಿಸುತ್ತ ಒಂದೆರಡು ಕಷ್ಟಗಳ ಕಡೆಗೆ ಗಮನವನ್ನೆ ಸೆಳೆದಿದ್ದಾರೆ.

ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀ ಶ್ರೀನಿವಾಸಶೆಟ್ಟಿ ಅವರು ಕೆಲವು ತಕ್ಕೀರುಗಳಿಗೆ ಶಿಕ್ಷೆಯನ್ನು ವಿಧಿಸತಕ್ಕ ಸಂಬಂಧದಲ್ಲಿ ಸ್ವಲ್ಪ ಕಾಲಾವಕಾಶವನ್ನು ತೆಗೆದು ಕೊಳ್ಳುತ್ತಿದ್ದು ನೂಟುವೆಂದು ಸಲಹೆಯನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಆ ಸಂಬಂಧದಲ್ಲಿ ಮಾತನಾಡಿದ ಇತರ ಸದಸ್ಯರುಗಳ ಗಮನಕ್ಕೆ ಒಂದೆರಡು ಅಂಶಗಳನ್ನು ತರತಕ್ಕದ್ದು ನೂಟುವೆಂದು ಭಾವಿಸುತ್ತೇನೆ.

ಇಂಡಿಯಾ ಸರಕಾರದವರು 1958ನೆಯ ಇಸವಿ ಯಲ್ಲೇ ಮಾಡಿರತಕ್ಕ ಕಾನೂನಿನಲ್ಲಿ ಸಂಸ್ಥಾನದ ಸರಕಾರಗಳು, ರಾಜ್ಯ ಸರಕಾರಗಳು ಇದನ್ನು ಜಾರಿಮಾಡುವುದಕ್ಕೆ ಹತ್ತು ವರ್ಷಗಳ ಮಿತಿಯನ್ನು ಗೊತ್ತುಮಾಡಿದ್ದಾರೆ. 56ನೆಯ ಇಸವಿಯ ಇಂಡಿಯಾ ಸರಕಾರದ ಆಕ್ಟು ಒಂದನೆಯ ಕಲಮು ಸಬ್ ಸೆಕ್ಷನ್ನು ಮೂರರಲ್ಲಿ ಈ ವಿಧಿ ಸಹ ಇದೆ. ಮತ್ತು ರಾಜ್ಯ ಸರಕಾರವು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಿರತಕ್ಕ ಮನೂದೆಯಲ್ಲಿ ಎಲ್ಲೆಯೂ ಸಹ ತುಂಬಿ ಅವನರದಲ್ಲಿ ಆ ಜನರಿಗೆ ಸಾಕಾದಷ್ಟು ತಿಳಿವಳಿಕೆ ಕೊಡದೆ ಎಲ್ಲ ಭಾಗದಲ್ಲಿಯೂ ಒಂದೇ ಕಾಲದಲ್ಲಿಯೇ ಈ ಕಾನೂನನ್ನು ರಚಿಸಬೇಕೆಂಬ ಉದ್ದೇಶ ಸಹ ಕಂಡು ಬರುವುದಿಲ್ಲ.

ಮನೂದೆಯ ಒಂದನೆಯ ಕಲಮು ಮೂರನೆಯ ಸಬ್ ಸೆಕ್ಷನ್ನಿನಲ್ಲಿ ಈ ವಿಚಾರ ಸ್ಪಷ್ಟವಾಗಿ ನಮೂದಾಗಿದೆ.

Section 1 (3): "It shall come into force on such date as the State Government may, by notification in the Official Gazette appoint, and different dates may be appointed for different provisions of this Act or for different areas or for different classes of undertakings or for different classes of goods."

ಸಾಕಾದಷ್ಟು ಎಲಾಸ್ಟಿಕ್ ಆಗಿ ಜನರಿಗೆ ಯಾವ ಶೋಧರೆಯೂ ಆಗಬಾರದು ಎನ್ನುವ ಉದ್ದೇಶ ದಿಂದಲೇ ಈ ಕಲಮನ್ನು ಇಟ್ಟಿರತಕ್ಕದ್ದು. ಇಷ್ಟೇ ಅಲ್ಲದೆ, ಇಂಡಿಯಾ ಸರ್ಕಾರದವರು ಸಹ ಈ ಹೊಸ ತೂಕ ಮತ್ತು ಅಳತೆ ವ್ಯವಹಾರಗಳ ನಿಯಮಗಳನ್ನು ಒಂದೇ ಸಾರಿ ಆಚರಣೆಗೆ ಒಳಪಟ್ಟಿರುವಂತೆ ಇಲ್ಲಿಯ ತೂಕ ಮತ್ತು ಅಳತೆಯ ಸಾಮಾನುಗಳಿಗೆ ಮೂರು ವರ್ಷದವರೆಗೆ ಒಂದು ತರಹದ ವಿನಾಯಿತಿಯನ್ನೂ ಸಹ ನಿರ್ದೇಶಿಸಿದ್ದಾರೆ. ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಈ ಸಭೆಯ ಮುಂದೆ ಇರತಕ್ಕ ಮನೂದೆಯಲ್ಲಿ ಎಂಟನೆಯ ಕಲಮಿನಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರು ಈ ಸ್ಥಳದಲ್ಲಿ ಇರತಕ್ಕಂತ ತೂಕ ಮತ್ತು ಅಳತೆಯ ಸಾಮಾನುಗಳನ್ನು ಎರಡು-ಮೂರು ವರ್ಷಗಳವರೆಗೆ ವಿನಾಯಿತಿ ಮಾಡಬೇಕು ಎನ್ನುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಇಷ್ಟೇ ಅಲ್ಲದೆ,

ಈ ಸಂಬಂಧದಲ್ಲಿ ಕಾನೂನಿನಲ್ಲಿರತಕ್ಕ ವ್ಯತ್ಯಾಸಗಳು, ರೋಪದೋಷಗಳು ಏನಾದರೂ ಇದ್ದರೆ ಅಪೀಲು ಮಾಡಲು ಅವಕಾಶವನ್ನು ಕೂಡ ಕೊಟ್ಟಿದ್ದಾರೆ. ಸಾರ್ವಜನಿಕರಿಗೆ ಮತ್ತು ಸಮಾಜಕ್ಕೆ ಬಹು ತೊಂದರೆಯಾಗುತ್ತದೆ ಎನ್ನುವುದನ್ನು ಫುನ್ ಪರಿಶೀಲನೆಯಾದರೂ ಕೂಡ ಅವಕಾಶವಿದೆ. ಅಲ್ಲದೆ ಸಮಾಜದಲ್ಲಿ ಒಂದೇ ರೀತಿಯಾದ ತೂಕ ಮತ್ತು ಅಳತೆ ಇರಬೇಕಾದುದು ಅಗತ್ಯ. ಕೊಳ್ಳುವವನಿಗೂ ಮತ್ತು ಮಾರತಕ್ಕವನಿಗೂ ಸೌಹಾರ್ದವನ್ನು ಕಲ್ಪಿಸುವುದು ಒಂದು ಯೋಗ್ಯವಾದ ಮಾರ್ಗ. ಈ ದೃಷ್ಟಿಯಿಂದ ನೋಡಿದರೆ, ಜಾಗತೆಯಾಗಿ ಈ ಶಾಸನವು ಶಾಸನಗಳ ಕಡತಕ್ಕೆ ಇರತಕ್ಕದ್ದು, ದೇಶದ ಮತ್ತು ಸಮಾಜದ ಹಿತದೃಷ್ಟಿಯಿಂದ ಅಗತ್ಯವೆಂದು ಈ ಸಂದರ್ಭದಲ್ಲಿ ಹೇಳಲು ಅಭಿಪ್ರಾಯ ಪಡುತ್ತೇನೆ.

ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀಮಾನ್ ನರಸಿಂಹನ್ ಅವರು ಇದನ್ನು ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಸಾಕಷ್ಟು ಏರ್ಪಾಡು ಮತ್ತು ವ್ಯವಸ್ಥೆಯನ್ನು ಮಾಡಿದ್ದಾರೆಯೇ ಎಂದು ಒಂದು ಪ್ರಶ್ನೆಯನ್ನು ಕೇಳಿದರು. ಈಗಾಗಲೇ ಜನರಲ್ಲಿ ಪ್ರಚಾರಮಾಡುವುದಕ್ಕೋಸ್ಕರ ಒಂದು ಕಮಿಷಿಯನ್ನು ಸಹ ರಾಜ್ಯ ಸರಕಾರ ನೇಮಿಸಿದೆ ಮತ್ತು ಪ್ರಚಾರ ಇನ್ನೂ ಹೆಚ್ಚಾಗಿ ನಡೆಯತಕ್ಕದ್ದಿದೆ.

ಅಲ್ಲದೆ, ಈ ವ್ಯವಸ್ಥೆಯನ್ನು ಜಾರಿಗೆ ತರಲು 37 ಲಕ್ಷ ರೂಪಾಯಿಗಳ ಅಂದಾಜು ಮಾಡಿರುವುದು ಬಹಳ ಅಧಿಕವೆಂದೂ ಮತ್ತು ಕೆಲವರು ಈ 37 ಲಕ್ಷ ರೂಪಾಯಿಗಳು ಬಹು ದೊಡ್ಡ ಮೊತ್ತವೆಂದೂ ಹೇಳಿದರು. ಆದರೆ 37 ಲಕ್ಷ ರೂಪಾಯಿಗಳು ಕೇವಲ ಅಳತೆ ಮತ್ತು ತೂಕಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ವ್ಯವಹಾರಕ್ಕೆ ಮಾತ್ರವಲ್ಲ. ದೇಶದಲ್ಲಿರತಕ್ಕ ಪಿ. ಡಬ್ಲ್ಯು. ಡಿ. ಇಲಾಖೆಗೂ ಅನ್ವಯಿಸುತ್ತದೆ ಮತ್ತು ಎಲ್ಲ ಇಲಾಖೆಗಳಿಗೂ ಜಾರಿಗೆ ತರಬೇಕು. ಮತ್ತು ಎಲೆಕ್ಟ್ರಿಕ್ ಡಿಪಾರ್ಟ್‌ಮೆಂಟಿಗೂ ಕೂಡ ಈ ಕಾನೂನನ್ನು ಅನ್ವಯಿಸಬೇಕು. ಹೀಗೆ ಎಲ್ಲ ಇಲಾಖೆಗಳಿಗೂ ಈ ಏರ್ಪಾಡನ್ನು ಅನ್ವಯಿಸಬೇಕಾಗಿರುವುದರಿಂದ ಇದಕ್ಕೆ 37 ಲಕ್ಷ ರೂಪಾಯಿಗಳಷ್ಟು ಖರ್ಚು ಮಾಡುವುದು ಹೆಚ್ಚೇನಲ್ಲ. ಇಷ್ಟೇ ಅಲ್ಲದೆ, ಈಗಾಗಲೇ ಸೂಚಿಸಿದ ವೆಚ್ಚಗಳಿಗಾಗಿ ಮೂರು ಲಕ್ಷ ರೂಪಾಯಿಗಳು (ರೆಕರಿಂಗು) ಖರ್ಚು ಮಾಡುತ್ತಿದ್ದೇವೆ. ಮತ್ತು ಈಗ ಸುಮಾರು ಐದು ಲಕ್ಷ ರೂಪಾಯಿಗಳು (ರೆಕರಿಂಗು) ಖರ್ಚಾಗುತ್ತದೆ ಎಂದು ಫೈನಾನ್ಸ್‌ಮಿನ್‌ಸ್ಟರ್ ಮೆಮೋರಾಂಡಂನಲ್ಲಿ ತಿಳಿಸಲಾಗಿದೆ. ಅಲ್ಲದೆ ಎರಡು ಲಕ್ಷ ರೂಪಾಯಿಗಳಷ್ಟು ಆದಾಯ ಇದನ್ನು ಜಾರಿಗೆ ತರುವುದರಿಂದ ಬರುತ್ತದೆ ಎನ್ನುವುದನ್ನೂ ಸ್ಪಷ್ಟಪಡಿಸಲಾಗಿದೆ.

ಶ್ರೀ ಸಿ. ಕೆ. ರಾಜಯ್ಯಶೆಟ್ಟಿ.—ಈ ಆದಾಯ ಹೇಗೆ ಬರುತ್ತದೆ ?

ಶ್ರೀ ಮಾಲಿ ಮರಿಯಪ್ಪ.—ಮಾರಾಟ ಮಾಡತಕ್ಕ ಅಳತೆ ಮತ್ತು ತೂಕದ ಸಾಮಾನುಗಳ ಮತ್ತು ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಲೈಸೆನ್ಸು ಫೀ, ಇವುಗಳಿಂದ ಬರುತ್ತದೆ.

Sri C. K. RAJAI AH SETTY.—After all in the entire State, about ten to twelve Companies may take licences either to mint or to produce such weights and measures. I do not think it is desirable that Government should charge profit. After all you are exchanging. For exchanging taking profits should be no consideration.

ಶ್ರೀ ಮಾಲ ಮರಿಯಪ್ಪ.—Margin of Profit ರೈಸ್‌ನ ಫೀಬರುತ್ತದೆ ಎನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಬರತಕ್ಕ ಆದಾಯವನ್ನು ಮಾತ್ರ ಇಲ್ಲಿ ನಮೂದಿಸಲಾಗಿದೆ. ಅದುದರಿಂದ ಈ ಕಾರ್ಯಕ್ಕಾಗಿ ಯಾವ ಹಣವನ್ನು ಖರ್ಚು ಮಾಡುತ್ತಿದ್ದೇವೋ ಅದರಿಂದ ದೇಶದಲ್ಲಿ ಜನರಿಗೆ ಒಳ್ಳೆಯದಾಗುತ್ತದೆ, ಎನ್ನು ತಕ್ಕ ವಿಚಾರವನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರುತ್ತಿದ್ದೇನೆ.

ಹೀಗೆ ನಮ್ಮ ದೇಶದಲ್ಲಿ ಅಗತ್ಯವಾದ ಸಾಮಾನ್ಯ ಹಿತಕ್ಕೆ ಅನುಕೂಲವಾಗುವ ಕಾನೂನನ್ನು ಇಲ್ಲಿ ತರಲಾಗಿದೆ ಮತ್ತು ಈ ಕಾನೂನಿನ ವಿಚಾರದಲ್ಲಿ ಜನರೂ ಕೂಡ ಅಹಿತವನ್ನು ತೋರಿಸದೇ ಇರುವುದರಿಂದ ಇದು ಯಶಸ್ವಿಯಾಗುವುದರಲ್ಲಿ ಯಾವ ಸಂದೇಹವೂ ಇಲ್ಲ. ಈ ಮಾತುಗಳನ್ನು ಹೇಳಿ ಈ ಮನೂದೆಯನ್ನು ಈ ಸಭೆಯವರು ಪರಿಶೀಲಿಸಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri M. C. NARASIMHAN.—Is expenditure included only in the Plan Expenditure or Non-Plan Expenditure ?

Sri MALI MARIAPPA.—It is included in the Plan Expenditure.

Mr. SPEAKER.—The question is :

“That the Mysore Weights and Measures (Enforcement) Bill, 1958, as passed by the Legislative Council, be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—The Bill will be considered clause by clause. Clauses 2 to 13.

The question is :

“That Clauses 2 to 13, both inclusive, stand part of the Bill.”

The motion was adopted.

Clauses 2 to 13, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 14.

ಶ್ರೀ ಮಾಲ ಮರಿಯಪ್ಪ.—ಸ್ವಾಮಿ, 14ನೆಯ ಕಲಮಿನ ಕೆಳಗೆ ಈ ಕೆಳಗೆ ಕಂಡಂತೆ ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಸೂಚಿಸುತ್ತೇನೆ :

“14. Marketing of Weights or Measures in sealed containers.—No person shall sell, offer for sale expose for sale or have in his possession for sale, any article contained in a sealed package or container unless such package or container bears thereon, or on a label securely attached thereto, a description of the net weight or measure of the article contained therein :

Provided that the provisions of this section shall not apply to an article sold offered for sale, exposed for sale, or in possession for sale which is not ordinarily sold in transactions for trade or commerce by weight or measure.”

Mr. SPEAKER.—Amendment moved:

“For clause 14, the following clause shall be substituted, namely,—

‘14. Marketing of Weights or Measures in sealed containers.—No person shall sell, offer for sale expose for sale or have in his possession for sale, any article contained in a sealed package or container unless such package or container bears thereon, or on a label securely attached thereto, a description of the net weight or measure of the article contained therein :

Provided that the provisions of this section shall not apply to an article sold, offered for sale, exposed for sale, or in possession for sale which is not ordinarily sold in transactions for trade or commerce by weight or measure.’”

ಶ್ರೀ ಮಾಲ ಮರಿಯಪ್ಪ.—ಸ್ವಾಮಿ, ಈ ತಿದ್ದುಪಡಿಯ ಉದ್ದೇಶ ಇಷ್ಟೆ: ಕೆಲವು ಪದಾರ್ಥಗಳನ್ನು ತೂಕ ಮತ್ತು ಅಳತೆಗೆ ಒಳಪಡಿಸಿ ಮಾರಾಟ ಮಾಡತಕ್ಕಂಥ ವ್ಯವಸ್ಥೆ ಇರುತ್ತದೆ. ಇನ್ನು ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ತೂಕ ಮತ್ತು ಅಳತೆಗೆ ಒಳಪಡಿಸದೆ ಕೆಲವು ಪದಾರ್ಥಗಳನ್ನು ಮಾರತಕ್ಕ ವಿರ್ಷಾಟು ಚಾಲ್ತಿಯಲ್ಲಿರುತ್ತದೆ. ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ತೂಕ ಮತ್ತು ಅಳತೆಗೆ ಒಳಪಡದೆ ಮಾರಾಟ ಮಾಡತಕ್ಕ ಪದಾರ್ಥಗಳನ್ನು ಇದರಲ್ಲಿ ವಿಚಾರಮಾಡಿದೆ. ಮಾರತಕ್ಕಂಥವರಿಗೆ ಮತ್ತು ಕೊಳ್ಳತಕ್ಕಂಥವರಿಗೆ ತೊಂದರೆಯಾಗಬಾರದು ಎನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸೂಚನೆ ಮಾಡಲಾಗಿದೆ.

Sri G. VENKATAI GOWDA.—I oppose the amendment, because clause 14 as it stands would satisfy all the requirements. Unless it is notified what article is contained in the sealed package or container, it is very difficult to know. We cannot enforce the provisions of this Bill in respect of such sales which are not meant to be transacted by means of weights and measures. So, this proviso is also not necessary. Unless the article is notified in the Gazette by the State Government, it

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will become very difficult to know which article is liable to exemption. The clause as it stands in the original Bill will fulfil all the requirements and therefore, I oppose the amendment that seeks to replace the existing clause.

Mr. SPEAKER.—I put the clause to the House. The question is :

“ That for clause 14, the following clause shall be substituted, namely,—

‘ 14. ● Marketing of Weights or Measures in sealed containers—No person shall sell, offer for sale, expose for sale or have in his possession for sale, any article contained in a sealed package or container unless such package or container bears thereon, or on a label securely attached thereto, a description of the net weight or measure of the article contained therein :

Provided that the provisions of this section shall not apply to an article sold, offered for sale, exposed for sale, or in possession for sale which is not ordinarily sold in transactions for trade or commerce by weight or measure’.”

The motion was adopted.

Mr. SPEAKER.—The question is :

“ That Clause 14, as amended, stand part of the Bill.”

The motion was adopted.

Clause 14, as amended, was added, to the Bill.

ಶ್ರೀ ಮಾಲ ಮರಿಯಪ್ಪ.—ಸ್ವಾಮಿ, 15ನೆಯ ಕಲಮಿಗೆ ಈ ಕೆಳಗೆ ಕಂಡ ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಸೂಚಿಸಬಯಸುತ್ತೇನೆ.

“ That in sub-clause (1), the words ‘Deputy Controllers’ shall be inserted between the words ‘a Controller of Weights and Measures for the State and as many’ and ‘Assistant Controllers’ ;

(2) in sub-clause (3)—

(i) for the words ‘all Assistant Controllers of Weights and Measures and Inspectors’,

the words ‘and Deputy Controllers, Assistant Controllers and Inspectors of Weights and Measures’ shall be substituted ; and

(ii) the words ‘Deputy Controllers’ shall be inserted between the words ‘the Controller’ and ‘and the Assistant Controllers’ ;

(3) in sub-clause (4), for the words ‘the Controller of Weights and Measures, every Assistant Controller and every Inspector’, the words ‘The Controller and every Deputy Controller, every Assistant Controller and every Inspector of Weights and Measures’ shall be substituted.”

Mr. SPEAKER.—Amendment moved :

“ That (1) in sub-clause (1), the words ‘Deputy Controllers’ shall be inserted between the words ‘a Controller of Weights and Measures for the State and as many’ and ‘Assistant Controllers’ ;

(2) In sub-clause (3)—

(i) for the words ‘all Assistant Controllers of Weights and Measures and Inspectors’ the words ‘all Deputy Controllers, Assistant Controllers and Inspectors of Weights and Measures’ shall be substituted ;

(ii) the words ‘Deputy Controllers’ shall be inserted between the words ‘the Controller’ and ‘and the Assistant Controllers’ ;

(3) in sub-clause (4), for the words ‘the Controller of Weights and Measures, every Assistant Controller and every Inspector’, the words ‘The Controller, every Deputy Controller, every Assistant Controller and every Inspector of Weights and Measures’ shall be substituted.”

ಶ್ರೀ ಮಾಲ ಮರಿಯಪ್ಪ.—ಸ್ವಾಮಿ, ಈ ತಿದ್ದುಪಡಿಯ ಉದ್ದೇಶ ಬಹಳ ಸರಳವಾದದ್ದು. ಕಂಟ್ರೋಲರ್ ಮತ್ತು ಅಸಿಸ್ಟೆಂಟ್ ಕಂಟ್ರೋಲರ್ ಎಂದು ಎರಡು ರೀತಿಯ ಅಧಿಕಾರಿಗಳು ವೇಟ್ಸ್ ಅಂಡ್

ಮೆಜರ್ಸ್ ಅಕ್ವಿನ್ಲಾ ಇರುತ್ತಾರೆ. ಇವರ ಮಧ್ಯೆ ಡೆಪ್ಯುಟಿ ಕಂಟ್ರೋಲರ್ ಇರುತ್ತಾರೆ. ಮೊದಲು ಅವರಿಗೆ ಅವಕಾಶ ಇಲ್ಲದಂತೆ ಇತ್ತು. ಈ ಅವಕಾಶ ವನ್ನು ಮಾಡುವುದಕ್ಕೋಸ್ಕರ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ನೂಟಿಸಿದೆ. ಇದು ಕೇವಲ ವರ್ಬಲ್ ಅಮೆಂಡ್ ಮೆಂಟ್; ಅದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

Sri G. VENKATAI GOWDA.—I oppose the amendment because the financial implications involved would be more if Deputy Controllers are sought to be appointed and also it will not be in consonance with the financial memorandum attached to the original Bill. Unless the correct amount is mentioned, I do not think there is any justification now for seeking to appoint Deputy Controllers because the additional expenditure would be more. It will show a figure other than the figure shown in the financial memorandum. The second point is that the Controller has been appointed at the State level and there are Assistant Controllers and Inspectors for Weights and Measures. The functions of these Deputy Controllers have not been defined here. We do not know for what functions they are sought to be appointed. Such being the case, I submit that there is no justification now to accept this amendment for the fact that it is not only contrary to the financial memorandum but also the functions and duties are not defined in the Bill and we are contravening the very provisions of the Bill if this amendment is accepted.

***Sri V. SRINIVAS SHETTY.**—Sir, I am also mystified by the multiplication of these posts. We have got Secretaries, Deputy Secretaries, Assistant Secretaries, Deputy Assistant Secretaries and all sorts of Secretaries. Sir, in this Bill also, the Government have now sought to introduce Controllers, Deputy Controllers and Assistant Controllers. What are the functions of these blessed officers on the earth? Are they independent officials or are they officials already acting in the Revenue Department or some other Department given additional duties? We are not given to understand that because in the definition section, only the word, 'Controller' is mentioned. In clause 2 (b) it is stated that 'Controller' means the Controller of Weights and

Measures appointed under section 15. Who are these Assistant and Deputy Controllers and what are their functions, we are not given to understand in the whole of the Bill. So, Sir, as my friend Sri Venkatai Gowda said, without knowing the implications, financial or otherwise of these additional posts, it is not possible to accept. It is one of the ruses by which the Ruling Party will be creating a number of posts for their own purpose. This provision has been introduced by the Government after the Bill was published and without knowing the implications. I beg of the House not to accept the amendment as it is.

Sri M. C. NARASIMHAN.—Sir, only one sentence.

Mr. SPEAKER.—I have absolutely no objection. But I am afraid I have to close by 4-35 p.m. which means I will not be able to take up other amendments.

Sri M. C. NARASIMHAN.—Sir, the word 'Controller' has been defined and the word 'Deputy Controller' has not been defined in the definition clause. As such, how is the Minister entitled to include a new word like the 'Deputy Controller' and thereby add to the confusion?

Mr. SPEAKER.—The question is:

"That (1) in sub-clause (1), the words 'Deputy Controllers' shall be inserted between the words 'a Controller of Weights and Measures for the State and as many' and 'Assistant Controllers';

(2) In sub-clause (3)—

(i) for the words 'all Assistant Controllers of Weights and Measures and Inspectors' the words 'all Deputy Controllers, Assistant Controllers and Inspectors of Weights and Measures' shall be substituted;

(ii) the words 'Deputy Controllers' shall be inserted between the words 'the Controller' and 'and the Assistant Controllers';

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(3) in sub-clause (4) for the words 'the Controller of Weights and Measures, every Assistant Controller and every Inspector', the words 'The Controller, every Deputy Controller, every Assistant Controller and every Inspector of Weights and Measures' shall be substituted '.

The motion was adopted.

MR. SPEAKER.—The question is:

"That Clause 15, as amended, stand part of the Bill."

The motion was adopted.

Clause 15, as amended, was added to the Bill.

MR. SPEAKER.—Clauses 16 to 19. The question is:

"That Clauses 16 to 19, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 16 to 19 were added to the Bill.

MR. SPEAKER.—Clause 20. There is an amendment.

SRI MALI MARIAPPA.—Sir, I beg to move:

"That (1) in sub-clause (1), the words or 'any Deputy Controller' shall be inserted between the words 'the Controller' and 'or any Assistant Controller'.

(2) In sub-clause (2), the words 'or a Deputy Controller' shall be inserted between the words 'the Controller' and 'or Assistant Controller'."

MR. SPEAKER.—Amendment moved:

"That (1) in sub-clause (1), the words 'or any Deputy Controller' shall be inserted between the words 'the Controller' and 'or any Assistant Controller'."

(2) In sub-clause (2), the words 'or a Deputy Controller' shall be inserted between the words 'the Controller' and 'or Assistant Controller'."

ಶ್ರೀ ಮಾಲಮರಿಯಪ್ಪ.—ಸ್ವಾಮಿ, 15ನೇ ಕಲಮಿನ ವಿಷಯದಲ್ಲಿ ಅಂಗೀಕರಿಸಲಾದ ತಿದ್ದುಪಡಿ ಈ ಕಲಮಿಗೂ ಅನ್ವಯಿಸುತ್ತದೆ. ಆದುದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸೂಚಿಸಿದೆ. ಇದರಲ್ಲಿ ಮೂಲಭೂತವಾದ ಬದಲಾವಣೆ ಏನೂ ಇಲ್ಲ.

SRI V. SRINIVAS SHETTY.—I am really astonished that in respect of these things the Hon'ble Minister has not thought fit to explain why this was necessary and what are the functions of Deputy Controller.

MR. SPEAKER.—Of course, the scope is very little, when it is a consequential amendment. The amendment is before the House.

SRI V. SRINIVAS SHETTY.—Sir, for the reasons stated earlier, I oppose the amendment.

MR. SPEAKER.—A consequential amendment cannot be opposed. The question is:

"(1) In sub-clause (1), the words 'or any Deputy Controller' shall be inserted between the words 'the Controller' and 'or any Assistant Controller'."

(2) In sub-clause (2), the words 'or a Deputy Controller' shall be inserted between the words 'the Controller' and 'or Assistant Controller'."

The motion was adopted.

MR. SPEAKER.—The question is:

"That Clause 20, as amended, stand part of the Bill."

The motion was adopted.

Clause 20, as amended, was added to the Bill.

MR. SPEAKER.—The question is:

"That Clauses 21 and 22 stand part of the Bill."

The motion was adopted.

Clauses 21 and 22 were added to the Bill.

MR. SPEAKER.—Clause 3. There is an amendment.

SRI G. VENKATAI GOWDA.—Sir, I beg to move:

"In Clause 23, for the words 'two' in line 7 the word 'one' shall be substituted."

Mr. SPEAKER.—Amendment moved:

“That in Clause 23, for the word ‘two’ in line 7, the word ‘one’ shall be substituted.”

Sri G. VENKATAI GOWDA.—Sir, the offences that are sought to be punished under clauses 23, 24 and 25 are more or less same and there is no reason why the offences dealt with under clause 23 should carry punishment of a fine extending up to Rs. 2,000 while the offences under clauses 24 and 25 carry only a fine of Rs. 1,000. Since the offences are of a similar character, I would like to suggest more or less the same punishment. So, I suggest that instead of Rs. 2,000, it may be reduced to Rs. 1,000. It will be consistent with the other offences. The offences contemplated under clause 23 are in no way not more serious than those dealt with under clauses 24 and 25. This amendment will bring clause 23 almost in conformity with offences dealt with under 24 and 25.

Sri MALI MARIAPPA.—Sir, I oppose the amendment for this simple reason. My learned friend Sri Venkatai Gowda is himself a lawyer and knows that while drafting the enactment the maximum punishment will be suggested but while enforcing, it will be enforced with due discretion. So there is no difficulty or particular inconvenience caused by suggesting the maximum sentence and I submit that I am not agreeable to the amendment suggested.

Mr. SPEAKER.—The question is:

“That in Clause 23, for the word ‘two’ in line 7, the word ‘one’ shall be substituted.”

The amendment was negatived.

Mr. SPEAKER.—Now, clause 23. The question is:

“That Clause 23 stand part of the Bill”.

The motion was adopted.

Clause 23 was added to the Bill.

Mr. SPEAKER.—Clause 24. The question is:

“That Clause 24 stand part of the Bill.”

The motion was adopted.

Clause 24 was added to the Bill.

Mr. SPEAKER.—Clause 25. There is an amendment.

Sri G. VENKATAI GOWDA.—Sir, I beg to move:

“That Explanation 1 and Explanation 2 to Clause 25 be deleted.”

Mr. SPEAKER.—Amendment moved:

“That Explanation 1 and Explanation 2 to Clause 25 be deleted.”

Sri G. VENKATAI GOWDA.—Sir, we are all aware that when a person commits an offence, he is to be presumed to be innocent unless the guilt is proved and brought home to him beyond reasonable doubt. That principle we have forgotten in framing these explanations. It says:

“When any such weight or measure or weighing and measuring instrument is found in the possession of any trader or any employee or agent of such trader, employee or agent shall be presumed, until the contrary is proved, to have had it in his possession for use in transactions for trade or commerce.”

If it is found in his possession, or in the premises of a person, it is to be presumed that he had it for the purpose of fraudulently making use of it, unless he proves the contrary. Therefore, I submit that we are going against the principle of criminal law where it is said that the accused should be presumed to be innocent till his guilt is proved.

As you are aware, Sir, in villages, there is any amount of enmity, hatred and all sorts of jealousies, factions prevail and it is not unlikely that a person who wants to implicate another, may get some measure or weight and place it in the premises of that person. But that by itself should not be sufficient to make him guilty of the offence for which he is sought to be punished. Therefore we are going against the very principles of the Indian Penal Code and the Code of Criminal Procedure.

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We are also going against some of the provisions of the Indian Penal Code and the Criminal Procedure Code which have been enacted by the Centre. We are not entitled to enact laws which would come into conflict with Union laws. This Explanation is not called for. If challenged in the High Court, it would not stand. Let the Prosecution prove that the accused had the instruments or the weights for illegal usage beyond doubt. Why should it be presumed that the accused had it for the purpose of making false use of it? We do not have powers to bring in an enactment inconsistent with the substantive and procedural laws of the country.

4-30 P.M.

So far as Explanation 2 is concerned, it is stated that if an agent or an employee of a trader uses or possesses instruments and weights in contravention of this Bill, the employer or principal would be deemed guilty of an offence. My submission is that unless the person who prosecutes the offender proves that the master is in connivance with the employee or servant or he had sufficient knowledge that such measures or weights are being used by his servants, there is no justification for punishing the master who may after all be ignorant of the activities of the servant in this respect. The prosecution would have to prove that the master had knowledge of the fact and was a party to the offence. This is the principle of law. Therefore, I submit that Explanation 2 would also be inconsistent with the principles of natural justice and has to be deleted.

SRI MALI MARIAPPA.—I am opposing the amendments, Sir. My learned friend knows the provisions of the Evidence Act. If a person is in possession of stolen goods and he tries to resell them, the presumption would be drawn that he is guilty.

SRI G. VENKATAI GOWDA.—Unless he reasonably explains the possession of the same. That power is there in the Evidence Act.

SRI MALI MARIAPPA.—Therefore if questionable articles are found in the

possession of either an agent or an employee, the employer is liable. Therefore I submit that it is necessary to presume that he is guilty, unless he is able to prove the contrary. This explanation has been added on the analogy of the Evidence Act.

SRI M. C. NARASIMHAN.—Explanation 1 is inconsistent with Explanation 2.

MR. SPEAKER.—The question is: 'Explanation 1 and Explanation 2 to Clause 25 be deleted.'

The motion was negatived.

MR. SPEAKER.—The question is: "That Clause 25 stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

MR. SPEAKER.—Clauses 26 to 28. The question is:

"That Clauses 26 to 28 stand part of the Bill."

The motion was adopted.

Clauses 26 to 28 were added to the Bill.

MR. SPEAKER.—Clauses 29 to 44. The question is:

"That Clauses 29 to 44 stand part of the Bill."

The motion was adopted.

Clauses 29 to 44 were added to the Bill.

MR. SPEAKER.—The question is:

"That Clause 1, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

SRI MALI MARIAPPA.—I beg to move:

"That the Mysore Weights and Measures (Enforcement) Bill, 1958, as passed by the Legislative Council and as amended by this House, be passed."

Mr. SPEAKER.—The question is :

“That the Mysore Weights and Measures (Enforcement) Bill, 1958, as passed by the Legislative Council and as amended by this House, be passed.”

The motion was adopted.

MYSORE STATE AID TO INDUSTRIES BILL, 1958.

Motion to consider.

Sri G. VENKATAI GOWDA (Palaiyam).—Before the Bill is taken up for discussion, I wish to point out that the one and a half hours allotted for discussion of this Bill is insufficient and on behalf of several members of this House, I request that one hour more may be allotted.

Mr. SPEAKER.—After all, this Act is in operation in the areas of old Mysore. It is being extended to other areas. There is nothing new in this Bill.

*Sri K. PUTTASWAMY (Mysore).—I also feel that 1½ hours would not be sufficient. I know that this Act is in force in the old Mysore area.

Sri J. B. MALLARADHYA (Nanjangud).—I rise to a point of order. When once the decision of the Business Advisory Committee has been accepted by this House, is it open now to ask for extra allocation of time?

Mr. SPEAKER.—The report of the Committee, once having been accepted by the House, is binding on it. But if the Hon'ble Members feel that more time should be given, they may make a request. But that cannot change the order of business. I now understand that the Bill is to be referred to a Joint Select Committee.

Sri K. PUTTASWAMY.—I am submitting to this House that the State Aid to Industries Act is already in force in old Mysore area and similar Acts are also in force in the other integrated areas. As a representative of this Assembly, I am serving on the State Aid to Industries Board. As a Member of the Board, I have found the need for more vigilance on the part of

the Government in the matter of grant of allocations to industries. When certain facts are brought to light before the House, naturally the members would like to discuss those points and an extension may be required. Now that the Leader of the House is coming forward to refer the Bill to the Select Committee, more time than what this House would have required if it had not been referred to a Committee, would not be required. Therefore I submit that without upsetting the programme of this House, if the Leader of the House would agree to make an extension of one hour, it would be enough.

Sri Y. VEERAPPA (Holenarasipur).—I am also of the same opinion.

Mr. SPEAKER.—I will tell the House what it is. It is for the Leader of the House to make a statement in this respect and then the House is free to consider whether time should be extended or not. It seems to me that once the report of the Business Advisory Committee is accepted by this House, it should not be, as a rule, changed frequently by consent of the House. In very exceptional cases we can do so. Yesterday there was an exceptional case in the sense that Hon'ble the Finance Minister wanted to intervene in the debate. That, I thought was a fit case and there was a motion by the Leader of the House that the debate should be extended by the consent of the House. So, every time if we go on extending the time limit, the report of the Business Advisory Committee will have no value at all. I submit to the House that in ordinary circumstances the time allotted should not be extended.

Sri Y. VEERAPPA.—No doubt the Business Advisory Committee has allotted 1½ hours for this Bill and the Hon'ble Member Sri K. Puttaswamy argued that the time at our disposal was very short. The reason for stating so, is this. The Bill envisages economic prosperity of the country and more finances are involved. Therefore, the members do require some considerable time to give their opinion. I humbly submit that the Hon'ble the Chief